

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D. C.

INSTRUCTIONS FOR HOLDING REFERENDUM ON WHEAT  
MARKETING QUOTAS FOR THE 1941-42 MARKETING  
YEAR

In the event that the Secretary of Agriculture, pursuant to the provisions of section 335 of the Agricultural Adjustment Act of 1938, as amended, determines and proclaims that the total supply of wheat as of the beginning of the marketing year commencing July 1, 1941, will exceed by more than 35 percent a normal year's domestic consumption and exports, a referendum, by secret ballot, of farmers who would be subject to wheat-marketing quotas for the 1941 crop of wheat will be held on Saturday, May 31, 1941, pursuant to the provisions of section 336 of said Act and in accordance with the regulations and instructions herein set forth, to determine whether they favor or oppose such wheat marketing quotas. Such quotas will be in effect unless more than one-third of the farmers voting in the referendum oppose them.

A. VOTING ELIGIBILITY

(1) Each farmer engaged in the production of wheat for harvest in 1941 on a farm on which the normal production of the acreage planted to wheat of the current crop<sup>1</sup> is 200 bushels or more, who is entitled to share in the proceeds of the 1941 wheat crop as owner, landlord (other than a landlord of a standing-rent or fixed-rent tenant), tenant, or sharecropper shall be eligible to vote.

(2) No farmer (whether an individual, partnership, corporation, association, or other legal entity) shall be entitled to more than one vote in the referendum, even though he may be engaged in the production of wheat for harvest in 1941 on two or more farms, or in two or more communities, counties, or States.

(3) Where a group of several persons, such as husband, wife, and children, are participating in the production of wheat for harvest in 1941 under a lease or cropping agreement, only the person or persons who signed or entered into the lease or cropping agreement shall be eligible to vote.

<sup>1</sup> The normal yield per acre established for the farm multiplied by the acreage planted to wheat for harvest in 1941.



(4) If two or more persons are producing wheat for harvest in 1941 not as members of a partnership but as joint tenants, tenants in common, or owners of community property, each such person shall be entitled to one vote.

(5) There shall be no voting by mail, proxy, or agent, or in any manner except the eligible voter personally depositing in the ballot box his ballot marked by him, but a duly authorized member of a partnership, or a duly authorized officer of a corporation, firm, association, or other legal entity, may cast its vote.

## **B. INSTRUCTIONS TO COUNTY COMMITTEES**

Each County Agricultural Conservation Committee (hereinafter referred to as the County Committee) shall be responsible for the proper holding of the referendum in its county and it shall:

(1) Designate one readily accessible place for balloting in each community and give public notice of the time and place for balloting therein by posting a notice on form Wheat 501, "Notice—Wheat Marketing Quota Referendum," at one or more places open to the public within each community at least 5 days in advance of the date of the referendum.

(2) Make use (without advertising expense) of all available agencies of public information, including newspapers and radio, to give wheat farmers in the county full and accurate public notice of the day and hours of voting, the location of polling places, and the rules governing eligibility to vote. Such notice should be given as soon as practicable after the plans for holding the referendum in the county have been made, but must be given at least 5 days in advance of the date of the referendum.

(3) Designate three wheat farmers in each community who are eligible to vote in the referendum and who reside in the community as members of the community referendum committee to conduct the referendum in such community, and name one of such members as chairman of the committee, and another of such members as vice chairman of the committee.

(4) In counties with less than 50 wheat farms the producers of which will be eligible to vote, the County Committee may treat the county as one community for the purpose of the referendum and shall hold the referendum and perform the duties of both the County Committee and the Community Referendum Committee.

(5) See that each Community Referendum Committee is provided with a suitable ballot box.

(6) Prepare on form Wheat 503, "Register of Eligible Voters and Ballots Cast—1941 Wheat Marketing Quota Referendum," the register (so far as it can be ascertained) of eligible voters for each community



in the county, listing thereon the names and addresses of all persons shown on its records or known to it as producers who are engaged in such community in the production of wheat for harvest in 1941 on farms which meet the conditions specified in section A (1) of these instructions, giving consideration to farms on which the normal production of the 1941 acreage allotment or 1941 planted acreage is 200 bushels or more.

(7) Deliver a supply of forms Wheat 502, "1941 Wheat Marketing Quota Referendum Ballot," and of forms Wheat 504, "Community Summary of 1941 Wheat Marketing Quota Ballots," as well as form Wheat 503 (as provided in par. 6 above), to the chairman of each Community Referendum Committee.

(8) Instruct the Community Referendum Committees regarding their duties in all respects, with particular emphasis as to (a) issuing ballot forms, (b) recording votes, (c) tabulating ballots, and (d) certifying results of the referendum in the community.

(9) See that all necessary and appropriate measures are taken to insure that the referendum is conducted by secret ballot, fairly and impartially.

(10) Notify the State Agricultural Conservation Committee (hereinafter referred to as the State Committee) by telephone, telegraph, or in person, as soon as possible after the closing of the polls as to the preliminary count of "Yes" and "No" votes in the county.

(11) Meet not later than 8:30 a. m. on the next weekday after the holding of the referendum for the purpose of receiving and tabulating on form Wheat 505, "County Summary of 1941 Wheat Marketing Quota Ballots," the data reported on forms Wheat 504. Such meeting shall be open to the public. A report on form Wheat 505, showing the results in the county, shall be prepared and certified in quadruplicate, two copies of which shall be sent to the State Committee as soon as possible and in no case later than five calendar days after the date of the referendum, one copy posted for 60 calendar days in a conspicuous place accessible to the public in or near the office of the County Committee (hereinafter referred to as the county office), and one copy permanently filed in the county office and kept available for public inspection. One copy of each executed form Wheat 504 shall also be posted for sixty calendar days in a conspicuous place accessible to the public in or near the county office.

(12) Make an investigation in each case of controversy or dispute regarding eligibility of a voter to vote in the referendum. In each case where a ballot is found in a sealed envelope marked "Challenged" by the Community Referendum Committee and bearing on the outside the voter's name and a statement of the reason for the challenge, the eligibility of such person shall be determined. If it is determined



that such person is eligible, the ballot shall be placed with the challenged ballot of every other person found to be eligible, and when all of the challenged ballots have been passed upon by the committee those ballots found to be cast by eligible voters shall be opened and tabulated in the county summary, but no disclosure shall be made as to how any particular person voted. If it is determined that such person is not eligible, the envelope shall not be opened but shall be preserved with the ballots, as provided in paragraph 14 of this section B.

(13) Make an investigation in each case of dispute regarding the correctness of the summary of the referendum in a community. No dispute shall be investigated by the County Committee unless it is brought to its attention within 3 calendar days after the date on which the referendum was held. The County Committee shall promptly decide the dispute and immediately report its findings to the State Committee and send by registered mail, or deliver in person, to the State Committee all voted ballots, register forms, and community summary sheets involved in the dispute.

(14) Seal the voted ballots, challenged ballots found ineligible, register sheets, and community summary sheets for the county in one or more envelopes or packages marked "Wheat Referendum 1941," followed by the name of the county, and place them under lock and key in a safe place under the custody of the Secretary of the County Agricultural Conservation Association for a period of 60 calendar days from the date of the referendum. If no notice to the contrary is received by the end of such time, the ballots shall be destroyed but the register and community summary sheets shall be permanently filed in the county office and kept available for public inspection.

### C. INSTRUCTIONS TO COMMUNITY REFERENDUM COMMITTEES

Each Community Referendum Committee designated by the County Committee shall:

(1) Arrange, with the assistance of the County Committee, for conducting the referendum by secret ballot, fairly and impartially.

(2) Assist the County Committee in giving adequate public notice of the time and place for casting votes in the community at least 5 days in advance of the date on which the referendum will be held.

(3) Provide a place where each eligible farmer can mark and cast his ballot in secret and without interference, coercion, or duress.

(4) Provide a suitable ballot box. Any container so arranged that no ballot can be seen or removed without breaking seals on the container will be suitable. If strip adhesive paper or similar seals are used, such seals shall be signed or initialed by the chairman or a member of the Community Referendum Committee so that breaking



or replacing the seal will so destroy or affect the identifying marks as to show that the seal has been tampered with.

(5) Open the polls at the time designated by the County Committee, which time shall not be later than 9 a. m., local standard time, on the date fixed for the holding of the referendum.

(6) Hold the referendum in an unbiased and fair manner and see that no device is used whereby any voter's ballot may be identified (except as provided in the case of a challenged ballot).

(7) Issue a ballot to each person who is eligible to vote and to each person who claims to be eligible to vote even though his eligibility is challenged by the committee. Instruct each voter that he is to mark his ballot so as to indicate clearly how he votes and in such manner that no one else shall see how he votes and then to fold his ballot and place it in the ballot box without allowing anyone else to see how he has voted.

(8) Record on form Wheat 503 the name and address of each person to whom a ballot form is issued if he is not already listed thereon prior to the time the ballot form is issued to him.

(9) Every unchallenged ballot shall be placed in the ballot box by the person who voted it. If the voter fails to fold the ballot that shall not invalidate it. In every case where the eligibility of the voter is challenged, his ballot, after being marked by the challenged person so as to show how he votes but in such manner that no one else sees how he votes, shall be folded and placed by him (or by the committee if he refuses) in an envelope, which shall then be sealed and identified with his name, the word "Challenged," and a statement of the reason for the challenge, and shall then be placed in the ballot box. The letter "C" shall be entered with a red pencil on form Wheat 503 opposite the name of each person whose vote is challenged.

(10) Enter on form Wheat 503 in the column headed "Ballot Cast (×)," an × beside the name and address of each person to whom a ballot form is issued and whose ballot is placed in the ballot box (whether or not his ballot is challenged).

(11) Close the polls and discontinue acceptance of ballots at 5 p. m. local standard time (or such later hour as is fixed by the State Committee in order to afford a full and fair opportunity to producers to vote) on the date of the referendum.

(12) Immediately after closing the polls, open the ballot box and canvass the ballots cast, which canvass shall be kept open to the public.

(13) Tabulate and record the results of the referendum on form Wheat 504. The number of challenged ballots cast shall be entered on form Wheat 504 in the space provided and will not be shown as being either for or against marketing quotas. If any ballot is found mutilated or marked so that it cannot be determined whether the



ballot was intended to show that the voter approved or opposed the marketing quotas, it shall not be counted as a ballot cast but the number of such spoiled ballots shall be entered in the space provided and such ballots sealed in an envelope and marked "Spoiled Ballots," followed by the number of such ballots and the designation of the community, together with the signature or initials of the chairman of the Community Referendum Committee. Votes cast on forms other than form Wheat 502 will not be counted.

(14) Certify to the accuracy of the executed forms Wheat 503 and Wheat 504 by signing in the spaces provided.

(15) Notify the County Committee, by telephone, telegraph, or by a member of the Community Referendum Committee in person or by a signed communication sent by messenger, as soon as possible after the closing of the polls as to the preliminary count of "Yes" and "No" votes in the community.

(16) Seal the voted ballots (including those challenged), the spoiled ballots, the register sheet, and the original and one copy of the community summary in one or more envelopes appropriately identified by the designation of the community and deliver them to the County Committee not later than 9 a. m. on the first weekday following the holding of the referendum, together with the unused ballots and other forms. The Chairman of the Community Referendum Committee (or in his absence or disability, the Vice Chairman thereof) shall be responsible for the safe delivery of such reports, ballots, and forms to the County Committee.

(17) Post an executed copy of form Wheat 504, as soon as it is executed, in a conspicuous place at the polling place, so that it remains posted and accessible to the public for at least 3 calendar days after the date of the referendum.

#### D. INSTRUCTIONS TO STATE COMMITTEES

The State Committee shall be in charge of and responsible for the conducting of the referendum in its State, in a fair, unbiased, and impartial manner, by secret ballot, and shall:

(1) Notify the appropriate Regional Director of the Agricultural Adjustment Administration by telegraph as to the preliminary count in the State of votes for and votes against marketing quotas.

(2) Summaries on form Wheat 506, "State Tabulation of 1941 Wheat Marketing Ballots," the information contained on the forms Wheat 505 and the facts found in any investigation or recheck conducted by it and forward by air-mail special delivery two fully executed forms Wheat 506 to the appropriate Regional Director, Agricultural Adjustment Administration, Washington, D. C., not later than 7 calendar days after the date of the referendum. If one sheet



proves insufficient for listing the information with respect to all the counties in the State, additional sheets properly numbered and identified and securely attached to the first sheet may be used for continuation, in which case totals and signatures should be entered only on the last sheet. One fully executed copy of each form Wheat 505 and form Wheat 506 shall be permanently filed in the State office of the Agricultural Adjustment Administration available for public inspection.

(3) Complete the investigation of any report from any county regarding irregularities in the holding of the referendum or controversies as to the correctness of summaries of the referendum, not later than 10 calendar days after the date of the referendum, and forward its findings in such cases to the appropriate Regional Director.

### E. RESULTS OF REFERENDUM

Final and official tabulation of the votes cast in the referendum will be made by the Agricultural Adjustment Administration and reported to the Secretary of Agriculture and the result of the referendum will be publicly proclaimed by him. The reports on forms Wheat 506 and related papers shall be permanently filed with such tabulation and shall remain available for public inspection in the Department of Agriculture.

Each County Committee is authorized to give out unofficial reports of the total "Yes" and total "No" votes in its county to the public press and other inquirers. Each State Committee is authorized to release to the press and other inquirers the unofficial results of the referendum for its State by counties as rapidly as the votes in the various counties are tabulated.

If the Administrator of the Agricultural Adjustment Administration or the Secretary of Agriculture deems it necessary, the report of any Community Referendum Committee, County Committee, or State Committee shall be reexamined and checked by such persons or agencies as may be designated.

Done at Washington, D. C., this 19th day of February 1941. Witness my hand and the seal of the Department of Agriculture.

CLAUDE R. WICKARD,  
*Secretary of Agriculture.*

